



# City of Keller

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## Legislation Text

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**File #:** 19-371, **Version:** 1

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**To:** Mark R. Hafner, City Manager

**From:** Scott Bradburn, Planner I

**Subject:**

**PUBLIC HEARING:** Consider an ordinance approving a Specific Use Permit (SUP) to allow the "rental of tools and machinery," the use of "outside storage", and to allow a "high risk or hazardous industrial use", specifically two above-ground storage tanks on a 4.77-acre-lot on the east side of South Main Street, approximately 400 feet south from the intersection of South Main Street and Calverley Place, being Steelwright Addition, Lot 1A, Block 1, at 1675 South Main Street (Account # 06427324) zoned Light Industrial (LI), Roy Holdeman, applicant; Johnson-Keller, LLC, owner. (SUP-19-0015)

**Action Requested:**

The Applicant, also known as Equipmentsshare.com, wants to relocate its Southwestern Regional Headquarters to 1675 S. Main and occupy all three of the buildings. The company rents commercial construction equipment. The Applicant is requesting an SUP to allow the use of "rental of tools and machinery," the use of "outside storage," and to allow a "high risk or hazardous industrial use" on the property (two fueling tanks). The outside storage is predominately for large equipment rental but also for use of two, above-ground fuel tanks to fuel the equipment. The fuel tanks would be inspected by the Fire Department to meet specific standards required by the Fire Code in addition to State and Federal requirements.

**Analysis:**

The base zoning district is Light Industrial and designed for light manufacturing, assembling, fabrication, warehousing, wholesaling and service operations not relying on frequent customer visits. Current adjacent uses are also light industrial, commercial and to the east are single-family residences. The proposed hours of operation for the Keller location are Monday through Friday (9AM -5PM). The equipment yard is secured by an 8-foot iron gate.

If the SUP request is granted, the Applicant proposes to make updates to the existing three structures on the property; this includes adding a fire lane, moving a fire hydrant closer to the central building, and adding pavement to allow a fire truck complete access around the perimeter of the central building and grants access to the other two buildings. The Applicant has already begun clean-up efforts to make the property more aesthetically appealing. Building three will be the Applicant's proposed headquarters for their southern district regional office.

**Citizen Input:**

On June 28, 2019, as required by State law, the City mailed out (22) letters of notifications for a Public Hearing to all property owners within three-hundred feet (300') of the subject property. Staff also posted a public hearing notice sign on the subject property.

As of July 9, 2019, Staff has not received any letters either in opposition or support from the public regarding this SUP application. However, the Applicant supplied staff with a petition of support signed by five adjacent property owners.

**Summary:**

Section 8.02 (F.2.a) of the UDC states that when considering a SUP request, the Planning and Zoning Commission and City Council shall consider the following factors:

- 1) The use is harmonious and compatible with surrounding existing uses or proposed uses;
- 2) The activities requested by the applicant are normally associated with the permitted uses in the base district;
- 3) The nature of the use is reasonable and appropriate in the immediate area;
- 4) Any negative impact on the surrounding area has been mitigated; and
- 5) That any additional conditions specified ensure that the intent of the district purposes are being upheld.

**Planning and Zoning Action:**

On July 8, 2019, the Planning and Zoning Commission took action on this agenda item and voted 6-0 to recommend approval of the SUP. Commissioner Stansell abstained from voting.

**City Council Action:**

The City Council has the following options when considering an SUP:

- Approve.
- Approve with modifications or additional conditions.
- Table the agenda item to a specific date with clarification of intent and purpose.
- Deny.